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SPECIAL COMMITTEE ON THE SITUATION WITH
REGARD TO THE IMPLEMENTATION OF THE
DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES
AND PEOPLES

EAST TIMOR

Working paper prepared by the Secretariat

CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
I. ACTION TAKEN AT THE UNITED NATIONS	1 - 10	2
II. POLITICAL DEVELOPMENTS	11 - 14	3
III. MILITARY SITUATION	15 - 21	3
IV. HUMAN RIGHTS SITUATION	22 - 35	4
V. ECONOMIC, SOCIAL AND CULTURAL CONDITIONS	36 - 43	7

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I. ACTION TAKEN AT THE UNITED NATIONS

1. Action relating to East Timor taken at the United Nations between November 1982 and July 1986 has been summarized in previous working papers on the Territory (A/AC.109/836 and 871).
2. The Special Committee considered the question of East Timor at its 1296th, 1309th and 1310th meetings, on 4 and 15 August 1986. The Committee had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory (A/AC.109/871), as well as communications received from Indonesia (A/AC.109/872 and Add.1-3 and Add.3/Corr.1). Following statements by the representative of Indonesia (A/41/23 (part VI), annex), the Committee granted requests for hearing from 21 petitioners and heard their statements.
3. At its 1309th meeting, on 15 August, the Committee acceded to requests from Angola, Cape Verde, Mozambique and Sao Tome and Principe to participate in its consideration of the item. At the same meeting and at the 1310th meeting later on the same day, statements were made by those delegations, as well as those of Sweden and Indonesia and of Portugal, as the administering Power (A/41/23 (part VI), annex).
4. On 12 September 1986, the Secretary-General submitted a note to the General Assembly at its forty-first session (A/41/602) in which he stated that substantive talks between Indonesia and Portugal, with a view to achieving a comprehensive and internationally acceptable solution, were continuing under his auspices and that he would report to the Assembly thereon as soon as possible.
5. On 22 September 1986, the General Assembly took note of the decision of the General Committee to defer, for the time being, a decision on the inclusion of the item on East Timor on its agenda (A/41/PV.3).
6. During the general debate at the forty-first session of the General Assembly, the representatives of Cape Verde, Guinea-Bissau, Mozambique, Portugal, Sao Tome and Principe, Vanuatu and Viet Nam referred to the question of East Timor in their statements (see A/41/PV.8, 11, 15, 20, 24 and 25).
7. On 5 March 1987, in reply to a request for information under Article 73 e of the Charter of the United Nations, the Government of Portugal reiterated (A/42/171) that it had nothing to add to the information provided in its note of 6 April 1979 (A/34/311). At that time, Portugal had stated that conditions prevailing in East Timor prevented the Portuguese Government from assuming its responsibilities for the administration of the Territory and that it regretted being unable to provide the information requested.
8. A note verbale dated 16 June 1987 from the Permanent Mission of Mozambique to the United Nations addressed to the Secretary-General was circulated as a document of the General Assembly and of the Security Council (A/42/352-S/18930). The annex to the note contained the text of the final communiqué of the Seventh Summit Conference of the Heads of State of Angola, Cape Verde, Guinea-Bissau, Mozambique and Sao Tome and Principe, held at Maputo on 22 May 1987.

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9. A note verbale dated 23 June 1987 from the Permanent Representative of Mozambique to the United Nations addressed to the Secretary-General was circulated as a document of the General Assembly and of the Security Council (A/42/362-S/18944). The note verbale contained two documents on the Indonesian elections (annexes I and II).

10. A letter dated 1 July 1987 from the Permanent Representative of Indonesia to the United Nations addressed to the Secretary-General was circulated as a document of the General Assembly and of the Security Council (A/42/379-S/18963).

II. POLITICAL DEVELOPMENTS

11. On 23 April 1987, general elections for the National Assembly were held in Indonesia. Candidates represented three parties: the ruling Functional Group (Golkar), the United Development Party (PPP) and the Indonesian Democratic Party (PDI). By virtue of Indonesian Law 7/76 promulgated on 17 July 1976, under which East Timor was designated as an Indonesian province of a "first-level region", East Timorese participate in the National House of Representatives and in the People's Consultative Assembly. 1/

12. According to Indonesian official returns, there was a voter turnout in East Timor of 360,900. Of the total, 339,231 (93.9 per cent) voted for Golkar, whose candidate was Mr. Mochtar Kusumaatmadja, Minister for Foreign Affairs. 2/

13. Following the elections, Mr. Mochtar reportedly said that the success of the 1987 general elections in East Timor showed that East Timor's integration with Indonesia should no longer be questioned. 3/

14. Mr. Anibal Cavaco Silva, Prime Minister of Portugal, reportedly called the elections illegal and said that they were "pre-prepared with the results being known in advance". 4/

III. MILITARY SITUATION

15. A Portuguese parliamentarian visiting the Territory in August 1986 stated that, although he had seen no direct military action, he believed armed resistance to Indonesia was continuing and that it was obvious that the Timorese rejected Indonesia, or at least those aspects of Indonesian administration identified with the army and security. 5/

16. In August 1986, correspondents from the Reuters and Associated Press news agencies and The Straits Times who were visiting the Territory under the aegis of the Centre for Strategic and International Studies (CSIS) reported that, according to Colonel Yunus Safyan, the new Military Commander of East Timor, and Mr. Mario Carrascalao, the Indonesian-appointed "Governor", there was no evidence of conflict and that the Frente Revolucionária de Timor Leste Independente (FRETILIN) had been reduced to some 100 armed guerrillas and 500 followers, largely confined to the Los Palos area. Colonel Safyan was reported to

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have said that the last major clashes involving FRETILIN had taken place in January 1985 in the sub-district of Iliomar. 6/

17. On 23 September 1986, Agence France-Presse referred to a communiqué from União Democrática Timorese (UDT) charging that Indonesian troops had massacred villagers at Fo-Mano Uato-Lari in a reprisal raid following a guerrilla ambush. The same report quoted diplomatic sources in Lisbon as saying that about 350 Indonesian troops had been killed during the past year in FRETILIN ambushes.

18. In February 1987, UDT claimed that Indonesian authorities had stepped up their military operations to capture Mr. José Alexandre Gusmão, leader of the Timorese guerrillas. 7/ UDT stated that the population of Baucau, in the far eastern part of the Territory, had taken to the bush because of the Indonesian military "harassment" of civilians.

19. According to a FRETILIN source, 8/ thousands of Indonesian troops and two battalions of recruited Timorese militiamen were stationed in the Territory. The same source estimated that the Indonesian military presence amounted to 30 battalions, or about 25,000 soldiers.

20. In March 1987, a FRETILIN representative based at Darwin, Australia, was reported to have stated that there were 3,000 fully armed FRETILIN guerrillas and another 4,000 in support roles in East Timor. 9/ He reportedly said that guerrillas carried out frequent raids on Indonesian positions throughout the island and that Indonesians had suffered up to 200,000 casualties since 1976. In a communiqué issued on 23 June 1987, 10/ FRETILIN claimed to have killed at least 162 Indonesian troops since November 1986 and charged that 27,000 Indonesian troops stationed in the Territory had carried out a large-scale pre-election operation code-named "Kikis" (extinction), which had continued until April. FRETILIN also charged that 23 villagers had been killed by Indonesian soldiers in reprisals and that two former political leaders charged with helping FRETILIN had been interrogated and tortured.

21. On 26 March 1987, the Minister for Foreign Affairs, Mr. Mochtar, reportedly ruled out any peace talks with FRETILIN and said that the Indonesian Government hoped that they would surrender "bit by bit". 11/

IV. HUMAN RIGHTS SITUATION

22. The Portuguese parliamentarian visiting the Territory in August 1986 (see para. 15) was reported to have stated that the Timorese had told him that persecution was commonplace, there was a tight system of control, denunciations were frequent and people were afraid to speak. He said that during his visit he had had freedom to travel and had spoken directly to many people who still spoke Portuguese, in the presence of Indonesian security agents. He had visited the urban centres of Baucau, Los Palos, Suai, Maliana and Aileu, the island of Ataúro and two resettlement camps. In Dili, he had visited Comarca prison, where there were 94 political detainees and 39 prisoners who were soldiers. 5/

23. As previously reported, Indonesian authorities continue to reject allegations concerning abuses of human rights on the ground that they are unfounded (A/AC.109/871, para. 21). The Indonesian Government considers outside investigations of alleged human rights violations to be interference in its internal affairs.

24. The United States Department of State Country Reports on Human Rights Practices for 1986, Report on Indonesia again categorized East Timor as an area of "ongoing strife between authorities and local rebel groups" and noted that there were reports, which could not be independently verified, of political killings. 12/

25. The Country Reports noted that knowledgeable observers reported continued incidents of disappearances in 1986, although the number was believed to be very small. 12/ Many reports of disappearances related to events before 1986. Regularized access to prisons by the International Committee of the Red Cross (ICRC) had helped to locate some persons thought to have disappeared. Amnesty International stated in a report 13/ that no cases of "disappearances" since mid-1985 had been confirmed, and that in fact 10 of 71 people listed in its 1985 report as having "disappeared" or as having been executed had been found to be alive. The report revealed that all had been in military custody; some had been tried and sentenced in civil court, some had been released and some remained in custody without it being clear whether they had been tried or were scheduled for trial.

26. Regarding allegations of arbitrary arrest, the Country Reports noted 14/ that the 1981 Criminal Procedure Code of Indonesia provided protection against such arrest, but that Indonesian law did not specifically include the right of habeas corpus or its equivalent. In addition, under special emergency provisions instituted in 1966, a part of the military had "wide powers to detain and interrogate persons thought to endanger national security". Arrests or detentions under these powers were rarely, if ever, made known publicly. In 1986, the arrest of three students from East Timor was officially acknowledged. The students were subsequently released.

27. The same Country Reports indicated that over 50 FRETILIN guerrillas reportedly surrendered during the year and were permitted, under terms of the amnesty being offered to them, to settle within the local community under the supervision of the police and the church.

28. In April 1987, Amnesty International reported that it was aware of the trials of 10 persons during the past year, bringing the total number tried to well over 200 since the trials had begun in December 1983. According to Amnesty International, the defendants reportedly had no choice of counsel other than a government-appointed defence team. All pleaded guilty and no one lodged an appeal. 15/

29. ICRC continued its protection programme under which it visits East Timorese detainees. Three series of visits were made in 1986, during each of which ICRC delegates and doctors went to four places of detention, two in Dili and two in Jakarta, where they saw each of the 245 detainees at least once. ICRC reported

that, in view of the nutritional condition of the detainees, the food aid programme it had conducted since March 1984 in two places of detention in Dili was stopped in July 1986. However, there was continued assistance from ICRC and the Indonesian Red Cross for the needy families of detainees. 16/

30. According to the Country Reports, 17/ Indonesia allowed selective access to the Territory, including escorted diplomatic visits and tours by Western newsmen and, for the first time since 1975, a visit by a Portuguese parliamentarian (see para. 15). According to the same source, however, international human rights organizations were denied general access or permission to observe subversion trials; letters mailed to and from the Territory were subject to official scrutiny; and there were restrictions on movement to and within the Territory. According to Indonesian sources, travel documents are not required for travel throughout East Timor except in areas where security disturbances still occur, such as Viqueque and Los Palos (A/AC.109/871, para. 29). "Governor" Mario Carrascalao was reported to have stated in an interview that "those who ignore the process of self-determination" in that Territory would not be allowed to enter it. 18/

31. In 1986, ICRC provided medical and food aid to 600 displaced persons remaining on Ataúro Island and to some 360 previously displaced persons, following their resettlement on the main island. It also continued its visits to people who had been brought back to the main island after having been displaced to Ataúro, in order to assess their resettlement conditions. ICRC visited some 437 such people in four regions in August 1986. 16/

32. In 1987, Indonesian sources reported that the programmes for the return of displaced persons on Ataúro Island had been completed with the return, on 9 February, of 429 persons (145 families) to their villages of origin in Viqueque district; they also reported that the facility on Ataúro had been closed. According to the same sources, some 202 persons had chosen to remain on Ataúro as permanent residents. As of April 1987, a regular ferry service was to begin operation between Dili and Ataúro as an additional means of stimulating economic development, including tourism. 19/

33. Indonesian sources also reported that 162 temporarily displaced persons residing in Aileu district and 725 in the Bobonaro district had also been returned to their places of origin, namely, the districts of Baucau, Dili, Los Palos, Same and Viqueque. In addition, from 10 to 18 February 1987, ICRC visited 1,800 previously displaced persons who had returned to their villages of origin on the main island from 1982 to 1984. Following this visit, the ICRC representative was reported to have indicated that the returnees lived freely, did not experience discrimination and had been fully reintegrated into society. 19/

34. ICRC continued a programme for the repatriation of former Portuguese civil servants begun in 1986 at the request of the Portuguese and Indonesian Governments. The programme is funded by the Office of the United Nations High Commissioner for Refugees (UNHCR). ICRC indicated that, as of mid-April 1987, 37 former Portuguese civil servants and their families, totalling 290 persons, had been repatriated. 20/ Subsequently, Indonesian sources reported that as of the end of June 1987 nine additional former civil servants and their families, totalling 30 persons, had been repatriated. 20/

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35. In 1986, ICRC concluded an agreement with Indonesia allowing ICRC to carry out medical and nutritional surveys on the main island. In August 1986, ICRC carried out a mission involving some 40,000 people living in about 20 villages located in eight districts of the main island. ICRC delegates examined a group of children between one and six years of age to check their state of health and investigated the medical infrastructure, level of hygiene, food stocks and agricultural situation of the area. 16/

V. ECONOMIC, SOCIAL AND CULTURAL CONDITIONS

36. According to Colonel Safyan, Military Commander of East Timor, the army's top priority is to build schools, roads, churches and sports facilities "to win the hearts and minds" of the population. Father Walter Van Wouve, a Belgian Catholic priest who has been in the Territory since 1982, was quoted as saying that the army had helped with the development of the area and that materially there had been great improvement. 21/ The Portuguese parliamentarian who visited the Territory in 1986 (see para. 15) observed that economic life in East Timor under Indonesia was much more prosperous than it had been under Portugal. 5/

37. According to Indonesian sources, agriculture in East Timor is making steady progress. It was reported that the output of rice and corn had tripled since 1976 and that coffee production had risen by 72 per cent. "Governor" Carrascalao said that East Timor produced 37,592 metric tons of the 60,960 metric tons of rice it consumed annually, and authorities were said to predict a 6 per cent increase in the production of rice and a 7 per cent rise in corn production during 1987. East Timor was also reported to be producing rubber and tea on a small scale. Indonesian sources attributed the agricultural improvements to greater education, better cultivation techniques, irrigation and affordable fertilizers. 19/

38. Small-scale manufacturing operations, chiefly handicrafts and textiles, were also reported to be increasing and to have produced goods worth \$US 5.2 million in 1985. As a result, incomes had reportedly risen by 400 per cent since 1976. 19/

39. Indonesian sources reported that 400 kilometres of roads had been asphalted and 81 kilometres had been covered with concrete along the Los Palos Highway in Lautem District and in Dili. In Dili, a telephone system had been installed with a capacity of 500 units, and nearly 2,000 television sets and 5,000 radio-tape recorders had been distributed to public facilities in the interior. Improvements were being made at Dili Harbour and at Dili's Komoro Airport. 19/

40. A new programme had been instituted whereby additional credits for fishermen would be provided through village co-operatives. In 1986, 144 motorized fishing boats had been distributed free of charge. Fish caught in East Timor's waters in 1986 amounted to 549 metric tons, as compared to 501 metric tons in 1985; the catch from inland fishing reached 10 metric tons. 19/

41. The health care system is reported to be supervised by the Department of Health and to consist of 31 public health centres staffed with doctors, dentists, paramedical workers and other support staff, as well as 115 auxiliary public health centres. There is one central general hospital and four regional hospitals. 19/

42. Indonesian sources report that about 130,000 children, or about 16 per cent of the population, are enrolled in 500 elementary, 50 junior high and 20 high schools and that illiteracy has been reduced to 60 per cent of the population. In August 1986, the University of East Timor was opened, offering courses in agriculture, teacher education, social sciences, mathematics and natural sciences. It is said to have a total enrolment of 881 students. 19/

43. According to the Reuters correspondent who visited East Timor in August 1986, the Catholic population had doubled since 1975 to about 500,000. The Vatican is represented in East Timor by Msgr. Carlos Belo, its Apostolic delegate in Dili. 21/

Notes

1/ Official Records of the General Assembly, Thirty-third Session, Supplement No. 23 (A/33/23/Rev.1), vol. II, chap. X, annex, paras. 11 and 20.

2/ Information received from the Permanent Mission of Indonesia to the United Nations, 7 July 1987.

3/ Jakarta Domestic Service, 1 May 1987, as in FBIS-APA-87-086, 5 May 1987.

4/ The Sydney Morning Herald, 17 April 1987.

5/ The Christian Science Monitor, 21 August 1986.

6/ Associated Press and Reuters dispatches (undated reprints).

7/ Diario de Noticias, (Lisbon), 24 February 1987.

8/ The Bulletin, 3 March 1987.

9/ The Age (Melbourne), 13 March 1987.

10/ Agence France-Presse dispatch, 23 June 1987.

11/ Ibid., Agence France-Presse dispatch, 26 March 1987, as in FBIS-APA-87-061, 31 March 1987.

12/ United States Department of State, Country Reports on Human Rights Practices for 1986, Report on Indonesia (U.S. Government Printing Office, Washington, D.C. 1987), p. 717.

13/ Amnesty International, External Paper ASA 21/13/87, March 1987.

14/ United States Department of State, op. cit., p. 718.

15/ Amnesty International, External Paper ASA 21/16/87, April 1987.

16/ The ICRC Worldwide 1986, pp. 19-20.

Notes (continued)

17/ United States Department of State, op. cit., pp. 716, 720, 723.

18/ Diario de Noticias (Lisbon) 24 April 1987, as in Weekly Report (21-28 April 1987, prepared by the United Nations Information Centre (Lisbon)).

19/ Press Release 427/PR-429/87 of the Permanent Mission of Indonesia to the United Nations.

20/ Verbal communication.

21/ Iberian Daily Sun (Madrid), 4 September 1986.
